

Amendments to House Bill No. 193
3rd Reading Copy

Requested by Senator Bruce Tutvedt

For the Senate Local Government Committee

Prepared by Leanne Kurtz
February 18, 2015 (12:34pm)

1. Title, line 6.

Following: the first "COMMISSIONERS"

Insert: "IF THE COMMISSIONERS ESTABLISH A PROCESS"

Following: the second "COMMISSIONERS"

Insert: "OR A BOARD OF ADJUSTMENT"

2. Page 2, lines 1 and 2.

Following: "of"

Insert: "county commissioners or board of"

Strike: "to" on line 1 through "commissioners" on line 2

Following: "record" on line 2

Insert: "-- county commissioners may establish appeal process"

3. Page 2, line 2 through line 8.

Strike: subsection (1) in its entirety

Insert: "(1) (a) The board of county commissioners may establish in the zoning regulations a process for an appeal of a decision by the board of adjustment to the board of county commissioners by any person or persons, jointly or severally, aggrieved by a decision of the board of adjustment or an officer, department, board, or bureau of the county.

(b) The process, if established, must provide that an appeal to the board of county commissioners be initiated by presenting to the board of county commissioners a petition, duly verified, setting forth that the decision is illegal, in whole or in part, and specifying the grounds of the illegality.

(c) The petition must be presented to the board of county commissioners within 30 days after the filing of the decision of the board of adjustment, and a final decision must be made within 60 days of receipt of the petition.

(d) The board of county commissioners may:

(i) remand the special exception to the board of adjustment;
(ii) reverse or affirm, wholly or partly, the decision of the board of adjustment; or

(iii) modify the decision of the board of adjustment."

4. Page 2, line 10.

Strike: "filed after the hearing required in subsection (1)"

Insert: "or the board of adjustment"

5. Page 2, lines 12 and 13.

Following: "office of the" on line 12

Insert: "appropriate"

Strike: "of" on line 12 through "commissioners" on line 13

6. Page 2, line 15.

Following: the first "commissioners"

Insert: "or the board of adjustment"

Following: "board"

Strike: "of"

Strike: "county commissioners"

7. Page 2, line 19.

Following: "commissioners"

Insert: "or the board of adjustment"

8. Page 2, line 20.

Following: "commissioners"

Insert: "or the board of adjustment"

9. Page 3, line 3.

Following: "commissioners"

Insert: "or the board of adjustment"

- END -